IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

WP(C).No. 26342 of 2007(J)

PETITIONER:

MOHAMMED PATHUMMAL,
PUTHEN KADA BUNGALOW,
MADAVOOR, PALLICKAL P.O.,
KILIMANNOOR.

BY ADV. SRI.ARIKKAT VIJAYAN MENON
SRI.HARISANKAR V. MENON
SMT.MEERA V.MENON
SRI.MAHESH V.MENON

RESPONDENTS:

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1. ASST. COMMISSIONER(ASSMT).,
DEPARTMENT OF COMMERCIAL TAXES,
SPECIAL CIRCLE, KOLLAM.

2. DEPUTY COMMISSIONER OF COMMERCIAL TAXES,
KOLLAM.

3. DEPUTY COMMISSIONER OF COMMERCIAL
TAXES(APPEALS), KOLLAM.

4. KERALA SALES TAX APPELLATE TRIBUNAL,
SASTHAMANGALAM, THIRUVANANTHAPURAM REPRESENTED BY
ITS SECRETARY.

5. TAHSILDAR, TALUK OFFICE,
CHIRAYINKEEZHU.

6. VILLAGE OFFICER,
MADAVOOR.

BY G.P. SRI.SREEKRISHNA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.26342 of 2007

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Dated this the 7th day of September, 2007.

JUDGMENT

Since counsel for the petitioner submitted that property presently sold is of the defaulter-company and petitioner will have grievance only if his personal property is proceeded against, this W.P. is dismissed as withdrawn leaving freedom to the petitioner to approach this court if petitioner's property is sold. However, I make it clear that this should not be interpreted as an order of prohibition against sale of petitioner's property if it is otherwise required on account of short recovery by sale of company's assets.

C.N.RAMACHANDRAN NAIR
Judge

pms